

Programmatic Wetland Permit

Type I or Type II

Handout #35-H Revised 0 8/31/06



What is a Programmatic Permit

Programmatic permits are available only for public facility and utility operation programs. The purpose of a programmatic permit is to clarify exemptions in the ordinance and eliminate the need for individual permits for ongoing activities that cover a wide geographic area.

Type I Review

If all the activities proposed are exempt from SEPA, then a programmatic permit request is a Type I review.

Type II Review

If SEPA is required (either at a non-project level or for specific activities contemplated for within the permit), then a programmatic permit request is a Type II review.

What is the application process?

The first step is to submit a completed application form and fee, together with the required submittal items to the Permit Services Center. The County conducts two application checks to ensure that applications are complete before staff begins their review process. Prior to accepting your application, the Permit Services staff will conduct a "**Counter Complete**" review of your submittal package. This initial review ensures that the required items (those preceded by a bold underline) within the **Wetland Permit Review Submittal Requirements** have been submitted before accepting your application (see attached submittal list).

Once your application is accepted, copies of your submittal package are routed to the wetland review staff. Staff conducts a second completeness check, known as the "**Fully Complete**", or technical review. This more detailed review includes a site visit to verify that wetlands and buffers are affected by the project and ensures that **all of the bulleted items** preceded by check-boxes on the attached submittal list have been submitted. As an example, does the plot plan have sufficient dimensions to accurately locate the structure on the site?

If **all** of the submittal requirements have been met, the application will be processed and a decision will be issued within the timeline required under the Clark County Code.

If any required items are missing from your submittal, you will be contacted by County staff with a list of the missing items. If you do not submit the requested information within 30 days of a written request for additional information, staff will return your application and refund the application fees, less any processing costs incurred to date.

What is a Staff Report and when will the Decision be made?

Staff will analyze the wetland and wetland buffer impacts of the project, determine appropriate mitigation and issue a staff report that contains findings of fact relative to the approval criteria in the wetland protection ordinance and conditions of approval to ensure the project complies with the ordinance. If the project cannot comply with the code as proposed, staff will contact you and explain the issues, you can then choose to modify your proposal so that it can be approved. This written report will be mailed to the applicant within 21 (Type I) or 78 (Type II) calendar days of the "Fully Complete" determination.

Can the decision be appealed?

Type I and II decisions may be appealed to the County Hearings Examiner by the applicant or any person or group. An appellant must submit an appeal application and **\$1,021** fee within 14 calendar days after the written notice of the decision is mailed.

Note: This handout is not a substitute for county code. For more detailed information, please refer to Clark County Code, Chapter 40.450.

**Public Service Center
Community Development Department
1300 Franklin Street
P.O. Box 9810
Vancouver, WA 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011
Web Page at: <http://www.clark.wa.gov>**



ADA COMPLIANCE PROGRAM:

For an alternate format, contact the Clark County ADA Compliance Office, V (360) 397-2375-2025; TTY (360) 397- 2445;
E-Mail: ADA@clark.wa.gov

DEVELOPMENT REVIEW PROGRAMMATIC WETLAND PERMIT APPLICATION SUBMITTAL REQUIREMENTS

The following checklist identifies information required to be included with Preliminary Wetland Permit Application. **All** items with a bold underlined space (*i.e.*,) must be submitted before the application will be considered "Counter Complete." **All** items with a box to the left (*i.e.* ☐) must be submitted before the application will be determined "Fully Complete." All bulleted items (*i.e.*, •), must be submitted, as applicable, but are not a "Fully Complete" requirement.

1. ☐ **COVER SHEET AND TABLE OF CONTENTS** - Each submittal packet shall contain a cover sheet that contains the project name and applicant's name, address, e-mail address, and phone number. A table of contents, tabs and/or dividers to provide assistance in locating the various requirements shall follow the cover sheet.
2. ☐ **APPLICATION FORM** - The application form shall be completed and original signed in ink by the applicant.
3. ☐ **SUPPLEMENTAL WETLAND REVIEW APPLICATION FORM (DS1594)** - The form shall be completed and signed in ink by the applicant.
4. ☐ **APPLICATION FEE** - The requisite fee for a preliminary wetland permit review shall accompany the application. The check is to be made payable to "Clark County Community Development."
5. ☐ **PROGRAMMATIC PERMIT PROPOSAL** - Unless specifically waived by the Responsible Official, a programmatic permit proposal shall include the following:

A discussion of the purpose and need for the permit;

A description of the scope of activities in wetlands and wetland buffers;

Identification of the geographical area to be covered by the permit;

The range of functions and values of wetlands potentially affected by the permit;

Specific measures and performance standards to be taken to avoid, minimize and mitigate impacts on wetland functions and values including:

- Procedures for identification of wetlands and wetland buffers;
- Maintenance practices proposed to be used;
- (Restoration measures;
- Mitigation measures and assurances;
- Annual reporting to the responsible official that documents compliance with permit conditions and proposes any additional measures or adjustments to the approved programmatic permit plan;
- Reporting to the responsible official any specific wetland or wetland buffer degradations resulting from maintenance activities when the degradation occurs or within a timely manner;
- Responding to any department requests for information about specific work or projects;

- (Procedures for reporting and/or addressing activities outside the scope of the approved permit; and
- (Training all employees, contractors and individuals under the supervision of the applicant who are involved in permitted work.

6. SUBMITTAL COPIES

- ____ Three (3) individually bound copies (e.g., using jumbo clips, stapled, comb or spiral binding, etc.), of the wetland application package,
- ____ 3 Copies of 11" x 17" reduced plans for all sheets larger than 11" x 17"

This application was determined to be Counter Complete on: ____/____/____

Community Development Specialist: _____

DEVELOPMENT REVIEW PROGRAMMATIC WETLAND PERMIT FEE SCHEDULE	
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TYPE I PROGRAMMATIC PERMIT	\$1400
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TYPE II PROGRAMMATIC PERMIT	\$2800
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1. IF A PROGRAMMATIC WETLAND PERMIT IS COMBINED WITH A PROGRAMMATIC HBAITAT PERMIT, A 10% FEE REDUCTION IS APPLIED TO BOTH THE WETLAND AND HABITAT FEES. BE SURE TO CHECK THE “COMBINED” BOX ON THE SUPPLEMENTAL WETLAND APPLICSTION FORM (DS1594)
2. THE DIRECTOR MAY WAIVE ALL OR PART OF THE WETLAND PERMIT FEES PROVIDED;
 - a) The project is not intended to mitigate for wetland or buffer impacts; and
 - b) The project is not the result of an enforcement action.

WETLAND REVIEW SUPPLEMENTAL APPLICATION FORM

(Form DS1594-Revised 8/30/06)



If an activity or project that is not explicitly exempt under CCC 40.450.010(C) affects wetlands or wetland buffers, a wetland review will be required. Use this form to identify the type of wetland review that is needed and the associated fee. The handouts referenced in the right hand column will list the specific submittal requirements.

Check applicable box(es) below	Review Type	Fee	Handout
Wetland Pre-determination			
A wetland pre-determination is a request to have County wetland staff conduct an on-site review of up to 40 acres. This is an optional application that should <u>only be submitted in advance of a development application</u> for the site or project.			
<input type="checkbox"/> Wetland Pre-determination	Type I	\$443	35B
Single Family Residence Projects			
Wetland permits associated with residential building permits and home business permits are Type I reviews. The reasonable use exception is for cases where the requirements of the ordinance would prevent the construction of a home and/or normal accessory structures on existing legal lots.			
<input type="checkbox"/> Single family residence	Type I	\$700	35C
<input type="checkbox"/> Home business	Type I	\$700	35C
<input type="checkbox"/> Reasonable use exception (single family)	Type I	\$700	35C
Development and Grading Projects			
Permit typing and submittal requirements for development permits is based on the extent of impact proposed. The reasonable use exception is for cases where the requirements of the ordinance would otherwise render the property unbuildable or would result in denial of a linear project (roads and utilities) deemed to be in the public interest.			
<input type="checkbox"/> Buffer modification only (no direct wetland impact)	Type I	\$700	35D
<input type="checkbox"/> Less than 0.1 acre of direct wetland impact	Type I	\$700	35E
<input type="checkbox"/> 0.1 acre of direct wetland Impact or more	Type II	\$1580	35E
<input type="checkbox"/> Reasonable use exception	Type III	\$7500	35F
<input type="checkbox"/> Reauthorization of an approved permit	Type I	\$700	35G
Programmatic Permits			
Programmatic permits are intended to be used for ongoing operations or repetitive activities at multiple sites where impacts and mitigation requirements can be applied without specific County review of each individual impact.			
<input type="checkbox"/> Programmatic permit – SEPA exempt	Type I	\$1400	35H
<input type="checkbox"/> Programmatic permit – SEPA required	Type I	\$2800	35H
<input type="checkbox"/> Reauthorization of an approved programmatic permit	Type I	\$700	35I
<input type="checkbox"/> <u>Combined wetland and habitat programmatic permit</u> (check the type of programmatic permit above)	10% fee reduction		

This form is required for a Counter Complete wetland permit application